IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

WRIT PETITION NO : 23767 of 1995

Between:

Syed Noor, S/o. Syed Hussain,
Chadalla, Punganur Manda,
Chittorr District.

..... PETITIONER

AND

1 District Collector ,
Chittoor District.
2 Revenur Divisional Officer,
Madanapalle, Chittoor District.
3 Mandal Revenue Officer,
Somala, Chittoor District.
4 The Chairman,
A.P. Bhoodana Yagna Board, Gandhi Bhavan,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction particularly in the nature of writ of mandamus, declaring the action of the respondents 1 to 3 treating the gifted land to the Bhoodan Gramadan Board as un-assessed waste is illegal and arbitrary and without jurisdiction and consequently direct the respondents-1 to 3 to treat the land as gifted land in pursuance of the publication made in A.P. Gazette dated 2-10-1975 to the A.P. Bhoodan and Gramadan Board by making the entries in the relevant revenue records as far as the land comprised in Old Paimashi Nos.33 to 38 of Devalakuppam village and Old Paimashi No.13 of China Devalakuppam village of Somala Mandal, Chittoor District,

Counsel for the Petitioner:MR.R.RAMACHANDRA REDDY

Counsel for the Respondent No. 1 TO 3 : MR.Y.N.LOHITA

Counsel for the Respondent No. 4 :MR.C. RAVINDRANATH

The Court made the following :

ORDER:

This Writ Petition is filed to declare the action of the respondents 1 to 3 treating the gifted land to the Bhoodan Gramadan Board as un-assessed waste is illegal and arbitrary and without jurisdiction and consequently direct the respondents 1 to 3 to treat the land as gifted land in pursuance of the Publication made in A.P. Gazette dated 2-10-1975 to the A.P.Bhoodan and Gramadan Board by making the entries in the relevant revenue records as far as the land comprised in Old Paimashi Nos.33 to 38 of Devalakuppam Village and Old Paimashi No.13 of China Devalakuppam Village of Somala Mandal,Chittoor District.

The learned counsel for the petitioner argued that the matter relates to the question of title between Bhoodan Gramadan Board and Board of Revenue.

In view of the fact that the matter involves the question of title which has to be determined on the basis of evidence and the petitioner cannot directly invoke the extraordinary jurisdiction under Article 226 of the Constitutions of India, without exhausting remedy available under the statute.

Accordingly, the Writ Petition is closed. No costs. The petitioner is at liberty to agitate his grievance before an appropriate forum, if he so desires.

07-10-2004

Stp

ASSISTANT REGISTRAR

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SECTION OFFICER

To

1 The District Collector ,
Chittoor District.
2 The Revenur Divisional Officer,
Madanapalle, Chittoor District.
3 The Mandal Revenue Officer,
Somala, Chittoor District.
4 The Chairman,
A.P. Bhoodana Yagna Board, Gandhi Bhavan,
Hyderabad.

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THE HON'BLE MRS JUSTICE T.MEENA KUMARI

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